Montana Code Annotated

2005

General Index A-K

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Published and Distributed by
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1301 E 6th Ave
PO Box 201706
Helena, MT 59620-1706
Telephone (406)444-3064 FAX (406)444-3036
Internet http://leg.state.mt.us

Printed and Bound by
West, a Thomson business
610 Opperman Dr
Eagan MN 55123

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MONTANA CODE ANNOTATED — 2005

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PREFACE AND GUIDE TO USAGE OF 2005 INDEX

The 2005 Montana Code Annotated Index is reflective of substantial revision to the indexing process. This process is intended to improve the timeliness of the Index while retaining or enhancing its usefulness. The revision of topics continues between printings. Constructive criticism and suggestions are welcome.

The Index is designed to be usable by the general public and those familiar with the MCA and legal terminology. Some features that will help you are described below.

CONTINUAL REVISION

The Montana Code Annotated Index is continually revised and printed after each legislative session to eliminate obsolete references to repealed laws, to integrate references for new legislation, and to correct references for temporary or amended legislation. Pocket part supplements are not necessary since the Index is printed in its entirety each time.

FORMAT AND GENERAL CONTENT

Entries in this Index are derived mainly from the language employed by the legislature and the public in reference to the law, from legal terminology in common use in the courts of Montana, and from the language used in the legal profession. However, this Index does not cover every topic in the broad field of law, but refers only to the constitutional and statutory provisions contained in the Montana Code Annotated. While this may be the first publication used for research, it should not be the only one. Use of this Index as a means of accessing the statutes is reflective of the organization and terminology of the code.

Entries appear with variations in type face and indentation to help you locate them easily. All entries in this Index are in strict alphabetical letter-by-letter arrangement as opposed to word-by-word. Punctuation is open, with predominant use of commas. Semicolons are used to separate section number citations from Title, chapter, part citations, or to separate subject heading cross-references. Confusion may occur when you are looking at the right word but the wrong level. Pay close attention to the appearance and position of the words themselves.

Broader references, such as 'Title, chapter, part', are included to allow a user to access a subject area without looking for a specific statute reference. A person may then use the table of contents method to find a specific statute.

MAIN SUBJECT HEADINGS

Main subject headings appear in boldface capital letters and flush with the left margin. Always locate the main subject heading first. Main subject headings are formed as one of the following:

Topical: covering all references concerning a broad field of law.

Descriptive: describing persons, places or things; e.g. MIDWIVES; WEAPONS.

Conceptual: reflecting a concept or mental image associated with the statutory language; e.g. NEGLIGENCE; TORTS.

Colloquial: e.g. BLUE SKY LAW; LEMON LAW

SUBLEVELS

Level 1 sublevels under the main subject headings appear in boldface with the initial letter capitalized, and flush with the left margin. These are subject areas relevant to the main subject heading.

Indentation indicates all relative sublevels beneath the Level 1 sublevel. This Index employs 4 levels of indentation. All of the indented entries appear in lowercase type and without boldface (except "God", "Montana", and specific acronyms) and are directly relevant to the level above them.

An example:

INSURANCE, LIFE (main subject heading)
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CROSS-REFERENCES

Cross-references may be easily located by matching type (uppercase or lowercase) style. This Index does not use the often confusing "ante/post", "supra/infra", or "above/below" designations. Cross-references direct you to other locations within this Index where detailed treatment of a particular subject will be found. Following are examples of the cross-referencing used in this index.

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The reference "See **FISH AND WILDLIFE**, **Lands or waters**" directs the user to the subject heading **FISH AND WILDLIFE** and to the level one **Lands or waters**, which appears in the same lowercase type style as the cross-reference.

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The reference "See also **Game animals**" directs the user to the level one **Game animals**. The lowercase type face indicates it is in the same main subject heading.

ACTS — CITATION WITHIN INDEX

Acts may be included as main subject headings as well as in the POPULAR NAMES AND SHORT TITLES INDEX.

STATE AGENCIES AND OFFICIALS

All departments appear as a main subject heading but contain broad Title, chapter, part references regarding their duties. All officials appear as a main subject heading. Boards and commissions have been reduced to broad references unless the board or commission has major substantive functions such as the Public Service Commission, which appears as a main subject heading.

MONTANA CONSTITUTION

The index to the 1972 Montana Constitution appears as a unit in the main subject heading CONSTITUTION OF MONTANA. References to the Constitution also appear throughout the General Index under the appropriate subject headings and are integrated with statute citations to enable more complete and unified research of a given topic.

WORDS AND PHRASES DEFINED IN CODE

The index WORDS AND PHRASES DEFINED IN CODE is a comprehensive listing of each word or phrase defined in the code. It is a separate index appearing after the General Index.

POPULAR NAMES AND SHORT TITLES INDEX

This is a listing by popular name or short title of each act or group of sections having a popular name or short title, together with a citation to code location. It is a separate index, appearing after the WORDS AND PHRASES DEFINED IN CODE index.

COMMENTS, SUGGESTIONS, AND CORRECTIONS

An "ideal index" is an endlessly pursuable goal. Your suggestions and comments are welcome and you are encouraged to communicate them to our office.

Sincerely,

Nadine E. Fox, Chief Indexer
(406) 444-3064

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See also Words and Phrases Defined in Code and
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